

0068
1
2
3
4 BILL NO. Z-77-11-30

5 ZONING MAP ORDINANCE NO. Z-lost

6 AN ORDINANCE amending the City of Fort
7 Wayne Zoning Map No. K3.

8
9 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
10 FORT WAYNE, INDIANA:

11 SECTION 1. That the area described as follows is hereby
12 designated a B 3 B District under the terms of Chapter 36, Munici-
13 pal Code of the City of Fort Wayne, Indiana, 1946, as amended by
14 General Ordinance No. 2836 and amendments thereof; and the symbols
15 of the City of Fort Wayne Zoning Map No. K3, referred to therein,
16 established by Section 9, Article III of said Chapter as amended,
17 are hereby changed accordingly, to-wit:

18 All that certain tract or parcel of land and premises
19 hereinafter particularly described, situate and lying
20 and being in the City of Fort Wayne, County of Allen,
21 State of Indiana:

22 Lot Numbered Four (4) and the South 43 feet of Lot Numbered
23 Three (3) in Suter's South Broadway Addition to the Town
24 of South Wayne, now in the City of Fort Wayne, according
25 to the recorded plat of said Addition, and in particular
26 described as follows, to-wit:

27 Commencing at the southwest corner of said Lot 4 as defined
28 by the point of intersection of the North R/W line of Grace
29 Avenue by the east R/W line of Broadway, as in the said plat
30 recorded; thence running north on the west line of said Lots
31 3 and 4 and coincident with the said Broadway east R/W line a
32 distance of 108 feet; thence eastward on a line parallel to
33 the said Grace Avenue north R/W line, by a deflection right
34 of 91 degrees 03 minutes, a distance of 155.6 feet to the
35 West R/W line of an alley as in the said plat recorded;
thence south along the east line of said Lots 3 and 4 and coin-
cident with said alley west R/W line, by a deflection right of
88 degrees 57 minutes, a distance of 108 feet to the southeast
corner of said Lot 4 as situated at the point of intersection
of the said alley west R/W line and the said Grace Avenue north
R/W line; thence west along the south line of said Lot 4 and
coincident with said Grace Avenue north R/W line, by a deflection
right of 91 degrees 03 minutes a distance of 155.6 feet to the
place of beginning; containing 16,804.8 square feet; together
with all rights, reversionary or otherwise, in abutting streets
and alleys.

36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
841
842
843
844
845
846
847
848
849
850
851
852
853
854
855
856
857
858
859
860
861
862
863
864
865
866
867
868
869
870
871
872
873
874
875
876
877
878
879
880
881
882
883
884
885
886
887
888
889
890
891
892
893
894
895
896
897
898
899
900
901
902
903
904
905
906
907
908
909
910
911
912
913
914
915
916
917
918
919
920
921
922
923
924
925
926
927
928
929
930
931
932
933
934
935
936
937
938
939
940
941
942
943
944
945
946
947
948
949
950
951
952
953
954
955
956
957
958
959
960
961
962
963
964
965
966
967
968
969
970
971
972
973
974
975
976
977
978
979
980
981
982
983
984
985
986
987
988
989
990
991
992
993
994
995
996
997
998
999
1000

APPROVED AS TO FORM
AND LEGALITY,

CITY ATTORNEY

1
2
3
4 SECTION 2. This Ordinance shall be in full force and
5 effect from and after its passage, approval by the Mayor and legal
6 publication thereof.
7
8
9
10

11 Vivian L. Schmiat
12 Councilman
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

Read the first time in full and on motion by J. Schmeider, seconded by:

George, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19__ at _____ o'clock _____ M., E.S.T.

DATE: 11-22-77

Charles W. Winters
CITY CLERK

Read the third time in full and on motion by V. Schmidt, seconded by Stier, and duly adopted, placed on its passage.

~~PASSED~~ (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>0</u>	<u>8</u>	_____	<u>1</u>	_____
<u>BURNS</u>	_____	<u>X</u>	_____	_____	_____
<u>HINGA</u>	_____	_____	_____	<u>X</u>	_____
<u>HUNTER</u>	_____	<u>X</u>	_____	_____	_____
<u>MOSES</u>	_____	<u>X</u>	<u>LOST</u>		
<u>NUCKOLS</u>	_____	<u>X</u>			
<u>SCHMIDT, D.</u>	_____	<u>X</u>			
<u>SCHMIDT, V.</u>	_____	<u>X</u>			
<u>STIER</u>	_____	<u>X</u>	_____	_____	_____
<u>TALARICO</u>	_____	<u>X</u>	_____	_____	_____

DATE: 1/10/78

Charles W. Winters
CITY CLERK

~~Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. _____ on the _____ day of _____, 19__, ATTEST: (SEAL)~~

Charles W. Winters
CITY CLERK

PRESIDING OFFICER

~~Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19__, at the hour of _____ o'clock _____ M., E.S.T.~~

Charles W. Winters
CITY CLERK

~~Approved and signed by me this _____ day of _____, 19__, at the hour of _____ o'clock _____ M., E.S.T.~~

MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on November 22, 1977, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-77-11-30; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on December 12, 1977;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

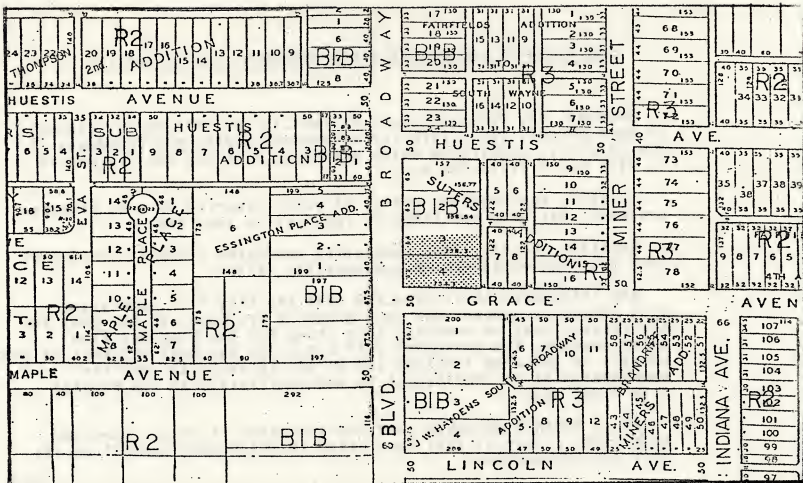
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held December 19, 1977.

Certified and signed this
20th day of December 1977.

Joseph N. Adair

Joseph N. Adair
Secretary



REZONE FROM BIB TO B3B

MAP NO K3

Z-77-11-30

Z-77-11-30

BY M.F.C. 10-24-77

Bill No. 7-77-11-30

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. K3

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do Not PASS.

- VIVIAN G. SCHMIDT - CHAIRMAN
- JOHN NUCKOLS - VICE CHAIRMAN
- WILLIAM T. HINGA
- DONALD J. SCHMIDT
- JAMES S. STIER

Vivian G. Schmidt
John Nuckols
William T. Hinga
James S. Stier

ONE MAIN STREET
FORT WORTH, INDIANA 46802

RECEIPT

Date Oct. 24 19 77 No. **10059**

Received From National Oil Corp

Address P.O. Box 476

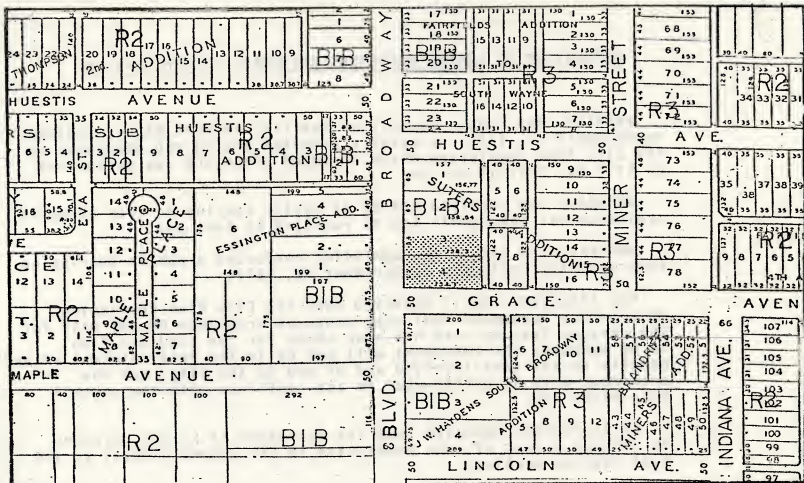
Fifty Dollars

Dollars \$ 50.00

For Returning Library Fee

ACCOUNT			HOW PAID		
AMT. OF ACCOUNT	<u>50.00</u>		CASH		
AMT. PAID	<u>50.00</u>		CHECK	<input checked="" type="checkbox"/>	
BALANCE DUE	<u>0.00</u>		MONEY ORDER		

By Gary Baeth



REZONE FROM BIB TO B3B

MAP NO. K3

Z-77-11-30

Z-77-11-30

BY M.F.C. 10-24-77

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on November 22, 1977, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-77-11-30; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on December 12, 1977;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held December 19, 1977.

Certified and signed this
20th day of December 1977.

Joseph N. Adair

Joseph N. Adair
Secretary

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

Date Filed _____

Intended Use _____

I/We NATIONAL OIL CORPORATION
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an B1B District to a/an B-3-8 District the property described as follows:

All that certain tract or parcel of land and premises hereinafter particularly described, situate and lying and being in the City of Fort Wayne, County of Allen, State of Indiana:

Lot Numbered Four (4) and the South 43 feet of Lot Numbered Three (3) in Suter's South Broadway Addition to the Town of South Wayne, now in the City of Fort Wayne, according to the recorded plat of said Addition, and in particular described as follows, to-wit:

Commencing at the southwest corner of said Lot 4 as defined by the point of intersection of the North R/W line of Grace Avenue by the east R/W line of Broadway, as in the said plat recorded; thence running north on the west line of said Lots 3 and 4 and coincident with the said Broadway east R/W line a distance of 108 feet; thence eastward on a line parallel to the said Grace Avenue north R/W line, by a deflection right of 91 degrees
(SEE REVERSE SIDE)

(Legal Description) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

NATIONAL OIL CORPORATION,
an Indiana corporation

P. O. Box 476
Bluffton, Indiana

NATIONAL OIL CORPORATION
By: William M. Moppert

(Name)

(Address & Zip Code)

Its: President
(Signature)

(If additional space is needed, use reverse side)

Legal Description checked by _____

NOTE FOLLOWING RULES

All requests for continuances or requests that ordinances be taken under advisement shall be filed, in writing, in the office of Community Development and Planning, by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for the meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance. (FILING FEE: \$50.00)

Name and address of the preparer, attorney or agent.
1212 Anthony Wayne Bank Bldg.

EDWARD J. MOPPERT
(Name)

Fort Wayne, Indiana 46802
(Address & Zip code)

423-3331
(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning and Zoning (CITY PLAN COMMISSION) / Room # 830, City-County Building, One Main Street / Fort Wayne, Indiana 46802 (Phone: 423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoning

03 minutes, a distance of 155.6 feet to the West R/W line of an alley as in the
said plat recorded; thence south along the east line of said Lots 3 and 4 and coin-
cident with said alley west R/W line, by a deflection right of 88 degrees 57 minutes,
a distance of 108 feet to the southeast corner of said Lot 4 as situated at the point
of intersection of the said alley west R/W line and the said Grace Avenue north R/W
line; thence west along the south line of said Lot 4 and coincident with said Grace
Avenue north R/W line, by a deflection right of 91 degrees 03 minutes a distance of
155.6 feet to the place of beginning; containing 16,804.8 square feet;
together with all rights, reversionary or otherwise, in abutting streets and alleys.

Owners of Property

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
(Name)	(Address & Zip Code)	(Signature)

RM

Number assigned by Bill Salin's office: # 3858

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE Zoning Map Amendment Ordinance 3-77-11-30

DEPARTMENT REQUESTING ORDINANCE CITY PLAN COMMISSION

SYNOPSIS OF ORDINANCE Petitioners are requesting the rezoning of the following described property:

Lots # 4 and the south 43 feet of Lot # 3 in Suter's South Broadway Addition, generally located on the northeast corner of Broadway and Grace Avenue.

From "B1B" to "B3B" -

EFFECT OF PASSAGE Property is presently zoned a "B1B" District - Limited Business. Petitioners are requesting a "B3B" - General Business.

EFFECT OF NON-PASSAGE Property would remain an "B1B"

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.) _____

Reg